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**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JEFFERY DROBNICK,

Plaintiff,

v.

TRICAM INDUSTRIES, INC.,

Defendant.

Case No.

Judge

**JURY DEMAND****KC FILED**

JAN 08 2008  
Jan 8, 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**NOTICE OF FILING**

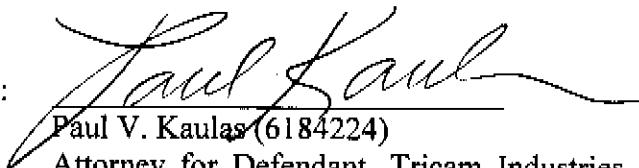
TO: Louis W. Brydges, Sr.  
Law Office of L.W. Brydges Sr.  
35973 North Helendale Road  
Ingleside, Illinois 60041

**08CV164  
JUDGE LINDBERG  
MAGISTRATE JUDGE NOLAN**

**PLEASE TAKE NOTICE** that on the 8th day of January, 2008 there was filed in the office of the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division: Defendant's, **Notice of Removal, Appearance and Jury Demand, Answer to Plaintiff's Complaint at Law in Strict Liability, and FRCP 7.1 Disclosure Statement**, copies of which are attached hereto and herewith served upon you.

McVEY &amp; PARSKY, LLC

BY:


  
Paul V. Kaulas (6184224)  
Attorney for Defendant, Tricam Industries,  
Inc.

McVEY & PARSKY, LLC  
30 North LaSalle Street  
Suite 2100  
Chicago, IL 60602  
Phone: 312/551-2130  
Fax: 312/551-2131

**AFFIDAVIT OF MAILING**

I, Michelle Merkel, a non-attorney, on oath state: I served this Notice and aforementioned documents by mailing copies by depositing same in the U.S. Mail at 30 North LaSalle Street, Suite 2100, Chicago, Illinois 60602, with proper postage prepaid this 8th day of January, 2008, to the attorney(s) as listed below:

Louis W. Brydges, Sr.  
Law Office of L.W. Brydges Sr.  
35973 North Helendale Road  
Ingleside, Illinois 60041

  
Michelle Merkel

KC **FILED**  
JAN 3, 2008  
JAN 08 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

JEFFERY DROBNICK,

Plaintiff,

v.

TRICAM INDUSTRIES, INC.,

Defendant.

)  
08CV164

JUDGE LINDBERG

MAGISTRATE JUDGE NOLAN

)  
) **JURY DEMAND**  
)

**NOTICE OF REMOVAL**

COMES NOW, the Defendant, TRICAM INDUSTRIES, INC., by and through its attorneys, McVEY & PARSKY, LLC, and pursuant to 28 U.S.C. §§ 1441 and 1446, file this Notice of Removal to the United States District Court for the Northern District of Illinois, Eastern Division, from the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois, where the action is currently pending, and state that:

1. On November 29, 2007, Jeffery Drobnick, ("Plaintiff") filed his Complaint in the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois.
2. On December 11, 2007, the Plaintiff served Tricam Industries, Inc. with process.
3. Attached hereto as Exhibit A are Plaintiff's Complaint and Summons served upon Tricam Industries, Inc.
4. On information and belief, Jeffery Drobnick was installing Christmas lights at his home when the fall occurred. The Complaint alleges that he fell on December 3, 2005 because a ladder manufactured by Tricam Industries, Inc. collapsed under him.

5. The Complaint also alleges that Tricam Industries, Inc. is liable to the Plaintiff because the ladder was defective, and that Plaintiff was injured as a proximate result of the defect.

6. The Complaint further alleges that the Plaintiff suffered severe and permanent injury to his wrist, chest and nervous system, all as a result of the fall. The Complaint requests judgment against the Defendants in an amount in excess of \$50,000.00.

7. Upon information and belief Plaintiff claims that he incurred in excess of \$70,000.00 in medical expense and in excess of \$495,000.00 in lost income as a result of the fall. Based on a reasonable degree of certainty, Tricam Industries, Inc. believes that Plaintiff will seek a recovery against the Defendant in an amount greater than \$75,000.00, exclusive of attorneys fees, costs, and interest.

8. Tricam Industries, Inc. is a Minnesota corporation and its principal place of business is located in Eden Prairie, Minnesota.

9. Upon information and belief, Jeffery Drobnick resides in Lake County, Illinois at 246 English Lane, Winthrop Harbor, Illinois 60096.

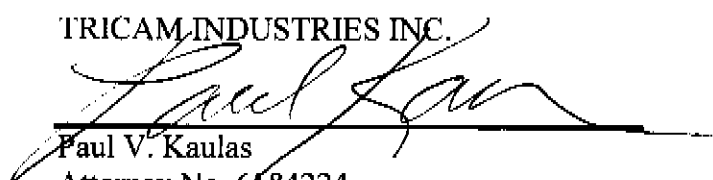
10. This Court has original jurisdiction over this lawsuit pursuant to 28 U.S.C. § 1332 because all parties hereto are diverse and the amount in controversy exceeds \$75,000 excluding attorneys fees, costs and interest.

11. In accordance with 28 U.S.C. § 1446(d), Tricam Industries, Inc. is giving written notice of removal to Plaintiff and to the Circuit Court of the Nineteenth Judicial Circuit, Lake County, Illinois .

WHEREFORE, the Defendant, TRICAM INDUSTRIES, INC., respectfully requests that this action proceed in this court as an action properly removed to it.

Respectfully Submitted,

TRICAM INDUSTRIES INC.

A handwritten signature in cursive script, appearing to read "Paul Kaulas", is written over a horizontal line.

Paul V. Kaulas

Attorney No. 6184224

Attorney for Defendant, Tricam Industries,  
Inc.

Paul V. Kaulas  
McVey & Parsky, LLC  
30 N. LaSalle St., Suite 2100  
Chicago, IL 60602  
Phone: (312) 551-2130  
Fax: (312) 551-2131  
Email: [pvk@mcveyparsky-law.com](mailto:pvk@mcveyparsky-law.com)

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: Louis W. Brydges, Law Offices of L.W. Brydges, Sr., 35973 North Helendale Road, Ingleside, Illinois 60041, by regular mail on January 8, 2008.

McVEY & PARSKY, LLC

Attorney for Defendant

30 North LaSalle Street

Suite 2100

Chicago, IL 60602

Tel: (312) 551-2130

Fax: (312) 551-2131

By: 

Paul V. Kaulas

Illinois Bar No. 6184224

# EXHIBIT A

Plaintiff's Complaint and Summons

WILLIAM B. SCHUBERT

**CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT  
LAKE COUNTY, ILLINOIS**

**NOTICE**  
BY LOCAL RULE 8.12

THIS CASE IS HEREBY SET FOR A SCHEDULING  
CONFERENCE IN COURTROOM 407 ON 3-6  
2008, AT 9:00 AM. FAILURE TO APPEAR MAY RESULT  
IN THE CASE BEING DISMISSED OR AN ORDER OF DEFAULT  
BEING ENTERED.

Jeffery Drobnick,

Plaintiff,

vs.

Tricam Industries,

Defendant.)

General No. 07 L 2559

**COMPLAINT AT LAW IN STRICT LIABILITY**

NOW COMES THE PLAINTIFF, JEFFERY DROBNICK, and for his Complaint  
against the Defendant, Tricam Industries, alleges and states as follows:

1. That on the 3<sup>rd</sup> day of December 2005 and for a long time prior to that date, the Defendant, Tricam Industries, was in the business of manufacturing and selling to the public various ladders made of aluminum including the step ladder complained of herein.
2. That prior to said date, the Defendant, Tricam Industries manufactured and made available for sale to the public an aluminum step ladder known as a Gorilla Ladder which was involved in the occurrence complained of herein.
3. That at the time that the aluminum step ladder was manufactured and sold by the Defendant, Tricam Industries, the ladder was defective, unsafe and unreasonably dangerous for its intended use in that the weight bearing legs were of inadequate strength to withstand the normal stresses that were placed on them and the aluminum was weak and defective and thereby was likely and liable to bend, collapse or buckle when subjected to stresses that would ordinarily be expected to be placed on a step ladder of the type in question.
4. That this defective, unsafe and unreasonably dangerous condition continued up to and including the time of the occurrence complained of.
5. That on the 3<sup>rd</sup> day of December 2005 the Plaintiff using the aforesaid step ladder was standing on a rung of the ladder several feet above the ground and as a result of the defective, unsafe and unreasonably dangerous condition of the ladder as

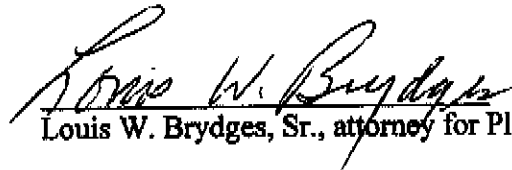
**DEFENDANT'S  
EXHIBIT**

A



stated, the weight bearing legs of the ladder were caused to and did collapse or buckle and thereby the Plaintiff was caused to fall with great force and violence to the ground below and thereby sustaining severe and permanent injuries to his wrists and chest and he thereby sustained severe and permanent injury to his nervous system and as a result thereof he has suffered and with reasonable certainty will continue to suffer great pain and he has been and will permanently be hindered to attending to his affairs and duties as to following his usual occupation as he has then and will be deprived of large earnings and profits that he might otherwise had made and he will be compelled and continue to expend and become liable for large sums of money for the care and treatment of his injuries.

WHEREFORE, the Plaintiff demands judgment against the Defendant in a sum of excess of Fifty Thousand Dollars (\$50,000.00).

  
Louis W. Brydges, Sr., attorney for Plaintiff

**PLAINTIFF DEMANDS TRIAL BY JURY**

Louis W. Brydges, Sr. 0329142  
LAW OFFICE OF L.W. BRYDGES SR.  
35973 North Helendale Road  
Ingleside, Illinois 60041  
847-973-9932

**COPY**

**SUMMONS**

**IN THE NAME OF THE PEOPLE IN THE STATE OF ILLINOIS, IN THE CIRCUIT  
COURT OF THE NINETEENTH JUDICIAL CIRCUIT,  
LAKE COUNTY, ILLINOIS**

Jeffery Drobnick,

Plaintiff,

vs.

Tricam Industries,

Defendant.)

General No.

To: Tricam Industries, 7677 Equitable Drive, Eden Prairie, MN 55344

You are hereby summoned and required to file an answer in this case, or otherwise file your appearance, in the office of the Clerk of this Court, within 30 days after service of this summons, exclusive of the day of service. If you fail to do so, a judgment or decree by default may be taken against you for the relief prayed in this complaint.

This summons must be returned by the officer or other person to whom it was given for service, with endorsement thereon of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date.

SEAL  
OF  
COURT

WITNESS SALLY D. COFFELT, Clerk of  
said Circuit Court, and the seal thereof at  
Waukegan, Illinois, this NOV 30 2007 day of  
A.D., 2007.

*Sally D. Coffelt*  
SALLY D. COFFELT, Clerk

Plaintiff's Attorney:  
(or plaintiff, if he be not represented by  
attorney) Louis W. Brydges, (0329142)  
35973 North Helendale Road  
Ingleside, Illinois 60041  
847-973-9932

Date of Service: \_\_\_\_\_, 2007  
(to be inserted by officer on copy left with  
defendant or other person.)

**DEFENDANT'S  
EXHIBIT**

A